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## FACSIMILE TRANSMISSION

**Total # of Pages: 10 (including this page)**

TO:	PHONE #:	FAX #:
Examiner Robert M. DeWitty, Art Unit 1616 U.S. Patent and Trademark Office	(703) 308-2411	(703) 872-9307 308-7924

**From :** Stephen E. Reiter  
**Sender's Direct Dial :** 858.847.6711 *S 6*  
**Date :** August 26, 2002  
**Client/Matter No :** 071243-1317  
**User ID No :** 1877

### MESSAGE:

#### OFFICIAL

Re: Application Serial No. 09/847,945

*Please Enter*

Following are:

Amendment Transmittal (2 pgs.-in dupl.);  
 Petition for Extension of Time (1 pg.);  
 Change of Correspondence Address (1 pg.);  
 Response (3 pgs. + 2 pg. enclosure);  
 Information Disclosure Statement (2 pgs.);  
 Form PTO-1449 (4 pgs.).

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Atty. Dkt. No. ABI1460-3  
(071243-1317)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Desai et al.

Title: COMPOSITIONS AND METHODS  
FOR TREATMENT OF  
HYPERPLASIA

Appl. No.: 09/847,945

Filing Date: 05/02/2001

Examiner: R. DeWitty

Art Unit: 1616

**CERTIFICATE OF FACSIMILE TRANSMISSION**  
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.

*Stephen E. Reiter*  
(Printed Name)  
*S. E. R.*  
(Signature)

August 26, 2002  
(Date of Deposit)

**AMENDMENT TRANSMITTAL**Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Response in the above-identified application.

- [ ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- [ X ] Information Disclosure Statement is enclosed.
- [ X ] Change of Correspondence Address is enclosed.
- [ X ] The fee required for additional claims is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims: 30	- 30	= 0	x \$18.00 =	\$0.00
Independents: 7	- 7	= 0	x \$84.00 =	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00 = \$0.00
CLAIMS FEE TOTAL:				= \$0.00

- [ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

Atty. Dkt. No. ABI1460-3  
(071243-1317)

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$920.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
		SUBTOTAL	\$920.00
		FEE FOR INFORMATION DISCLOSURE STATEMENT:	\$180.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
		TOTAL FEE:	\$1100.00

- Please charge Deposit Account No. 50-0872 in the amount of \$1100.00. A duplicate copy of this transmittal is enclosed.
- A check in the amount of \$\_\_\_\_\_ is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By



Date: August 26, 2002

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Stephen E. Reiter  
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JAN 29 2002

**UNITED STATES PATENT AND TRADEMARK OFFICE**

U.S. DEPT.  
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 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/847,945	05/02/2001	1614	1386	ABI1460-3 (071243-1317)	2	30	7

**CONFIRMATION NO. 6174****UPDATED FILING RECEIPT**

"OC000000007340986"

Stephen E. Reiter  
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 23rd Floor  
 402 West Broadway  
 San Diego, CA 92101-3542

Date Mailed: 01/22/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Neil P. Desai, Los Angeles, CA;  
 Patrick Soon-Shiong, Los Angeles, CA;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A CIP OF 09/446,783 05/16/2000  
 WHICH CLAIMS BENEFIT OF 60/051,021 06/27/1997

**Foreign Applications**

PCT/US98/13272 06/26/1998

**If Required, Foreign Filing License Granted 06/29/2001****Projected Publication Date: Request for Non-Publication Acknowledged****Non-Publication Request: Yes**


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**\*\*\*\*\*WARNING\*\*\*\*\***

Applicant has requested non-publication, certifying that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing; and has also claimed the benefit of an application filed in another country or under a multilateral agreement. Because the non-publication request and corresponding certification appears to be inconsistent with the priority claim, applicant is reminded that he/she has an

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 JAN 29 2002

obligation to promptly notify the Office and rescind the non-publication request if the invention disclosed in this application is the subject of an application filed in another country, or under a multilateral agreement, that requires eighteen-month publication.

\*\*\*\*\*WARNING\*\*\*\*\*

**Early Publication Request:** No

**Title**

Compositions and methods for treatment of hyperplasia

**Preliminary Class**

514

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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